



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd Floor
New York, New York 10007*

December 7, 2007

BY FEDERAL EXPRESS

The Honorable Charles L. Brieant
United States District Judge
United States Courthouse
300 Quarropas Avenue, Room 275
White Plains, New York 10601

Re: *Duncan v. Sound Shore Medical Center*, 07 Civ. 3094 (CLB)

Dear Judge Brieant:

I write respectfully to request an informal conference pursuant to Local Civil Rule 37.2 in the above-referenced medical malpractice case. On August 1, 2007, the Government propounded discovery requests to co-defendant Sound Shore Medical Center ("Sound Shore"). The Government has not received a response to its discovery requests, despite repeated attempts to contact counsel for Sound Shore. The Government anticipates filing a motion to compel discovery pursuant to Rule 37.

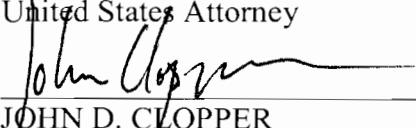
In addition, the Government requests a stay of the current discovery deadlines until an informal conference is held. Under the current scheduling order, the last day to conduct depositions of parties is December 21, 2007. The Government cannot conduct a meaningful deposition of plaintiff Oriana Duncan until it has received adequate document discovery, particularly the plaintiff's prenatal and delivery medical records, which the Government believes are in the possession of Sound Shore.

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:


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